

ASSEMBLY BILL

No. 2576

Introduced by Assembly Member Williams

February 24, 2012

An act to amend Section 65560 of the Government Code, relating to local planning.

LEGISLATIVE COUNSEL'S DIGEST

AB 2576, as introduced, Williams. Local planning: general plan elements: open-space element.

Existing law requires every city and county to prepare, adopt, and amend a general plan stating development policies and including specified elements, including an open-space element, as defined.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 65560 of the Government Code is
2 amended to read:
3 65560. (a) “Local open-space plan” ~~is~~ *means* the open-space
4 element of a county or city general plan adopted by the board or
5 council, either as the local open-space plan or as the interim local
6 open-space plan adopted pursuant to Section 65563.
7 (b) “Open-space land” ~~is~~ *means* any parcel or area of land or
8 water that is essentially unimproved and devoted to an open-space

1 use as defined in this section, and that is designated on a local,
2 regional or state open-space plan as any of the following:

3 (1) Open space for the preservation of natural resources
4 including, but not limited to, areas required for the preservation
5 of plant and animal life, including habitat for fish and wildlife
6 species; areas required for ecologic and other scientific study
7 purposes; rivers, streams, bays and estuaries; and coastal beaches,
8 lakeshores, banks of rivers and streams, and watershed lands.

9 (2) Open space used for the managed production of resources,
10 including but not limited to, forest lands, rangeland, agricultural
11 lands and areas of economic importance for the production of food
12 or fiber; areas required for recharge of groundwater basins; bays,
13 estuaries, marshes, rivers and streams which are important for the
14 management of commercial fisheries; and areas containing major
15 mineral deposits, including those in short supply.

16 (3) Open space for outdoor recreation, including but not limited
17 to, areas of outstanding scenic, historic and cultural value; areas
18 particularly suited for park and recreation purposes, including
19 access to lakeshores, beaches, and rivers and streams; and areas
20 ~~which~~ *that* serve as links between major recreation and open-space
21 reservations, including utility easements, banks of rivers and
22 streams, trails, and scenic highway corridors.

23 (4) Open space for public health and safety, including, but not
24 limited to, areas—~~which~~ *that* require special management or
25 regulation because of hazardous or special conditions such as
26 earthquake fault zones, unstable soil areas, flood plains, watersheds,
27 areas presenting high fire risks, areas required for the protection
28 of water quality and water reservoirs and areas required for the
29 protection and enhancement of air quality.

30 (5) Open space in support of the mission of military installations
31 that comprises areas adjacent to military installations, military
32 training routes, and underlying restricted airspace that can provide
33 additional buffer zones to military activities and complement the
34 resource values of the military lands.

35 (6) Open space for the protection of places, features, and objects
36 described in Sections 5097.9 and 5097.993 of the Public Resources
37 Code.